

March 1899

**LIBRARY OF CONGRESS,
OFFICE OF THE REGISTER OF COPYRIGHTS.
BULLETIN No. 2.**

DIRECTIONS

FOR

SECURING COPYRIGHTS.

**PREPARED BY
THORVALD SOLBERG,
REGISTER OF COPYRIGHTS.
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CATALOGUE OF COPYRIGHT ENTRIES.

In conformity with the provisions of the Act of Congress of March 8, 1891 (51st Congress, 2d session, chap. 565, section 4: Statutes at Large, vol. 26, p. 1106), there is prepared, in the office of the Register of Copyrights, a weekly catalogue of all completed copyright business. This publication, entitled "CATALOGUE OF TITLE ENTRIES OF BOOKS AND OTHER ARTICLES ENTERED IN THE OFFICE OF THE REGISTER OF COPYRIGHTS, LIBRARY OF CONGRESS, AT WASHINGTON, D. C., UNDER THE COPYRIGHT LAW, WHEREIN THE COPYRIGHT HAS BEEN COMPLETED BY THE DEPOSIT OF TWO COPIES," contains a list of all copyright entries perfected by the deposit of the copies required by law, and gives in each case the full title entry, the name and address of the copyright claimant, the date and number of the copyright entry, and the date when the copies were deposited to complete the entry of copyright. The titles are classified under the following rubrics:

- I. Books:
 - (1) Books proper.
 - (2) Miscellaneous, Leaflets, etc.
 - (3) Newspaper and Magazine articles.
- II. Dramatic Compositions.
- III. Periodicals.
- IV. Musical Compositions and Collections of Music.
- V. Maps and Charts.
- VI. Engravings, Cuts, and Prints.
- VII. Chromos and Lithographs.
- VIII. Photographs.
- IX. Fine Arts (a list of the photographs deposited with applications for copyright of paintings, drawings, statuary, and models or designs intended to be perfected as works of the fine arts).
- X. Index of Copyright Proprietors.

The index of proprietors is a complete index of all the entries contained in one week's issue of the catalogue, under an alphabet of the names of the copyright claimants.

The titles of the first division of books, Books I (Books proper), are prepared in the Catalogue Department of the Library of Congress, and are complete bibliographical titles of all books received at the Library of Congress under the operation of the copyright law.

This catalogue of copyright entries is distributed by the Treasury Department, and can be subscribed for at the rate of \$5.00 per year (for 4 vols. of about 1,000 pages each) through the nearest collector of customs. *The Librarian of Congress can not take subscriptions*, but a sample copy of the catalogue can be obtained upon request preferred to the Librarian of Congress.

COPYRIGHT LAW.

An edition (revised to March 8, 1899) of the Copyright Statutes has been published, with index, in a pamphlet of 28 pp., of which a copy will be sent to any person requesting it. A resident in the United States, Canada, or Mexico, is not required to send remittance or stamps for paying postage.

LIBRARIAN OF CONGRESS:
HERBERT PUTNAM.

REGISTER OF COPYRIGHTS:
THORVALD SOLBERG.

DIRECTIONS FOR SECURING COPYRIGHTS.

TO WHOM APPLICATION FOR COPYRIGHT SHOULD BE MADE.

All correspondence regarding copyright business and all articles forwarded in relation to copyright should be addressed: "THE LIBRARIAN OF CONGRESS, COPYRIGHT DEPARTMENT, LIBRARY OF CONGRESS, WASHINGTON, D. C."

Address Librarian of Congress.

Addressed labels can be obtained upon request, which can be used for all copyright business without the payment of postage.

Please do not send any stamps for return postage or stamped envelopes, as all mail matter sent from the Copyright Office, addressed to any part of the United States, Alaska, Canada, and Mexico is carried without postage under the Government frank. Also, please do not send any remittance to pay for blanks or circulars of any kind, as they are furnished without charge upon request.

Do not send return postage.

Send no money for circulars, etc.

APPLICATION FOR COPYRIGHT ENTRY.

It is highly desirable that each application for copyright entry shall be so made that the law is strictly complied with, so that no question can arise as to the validity of the entry recorded. Also, that the application shall be in such a form that the Copyright Office can, upon its receipt, promptly make the entries desired, and thus avoid delay through the necessity for correspondence.

Application for copyright.

To aid in accomplishing this, the Copyright Office prepares an application form, which should be used in all cases in accordance with the directions for filling it up, printed on page 4 of the blank. This form will be furnished upon request. The form is made as simple as the law will allow, and it is desirable that all the information asked for shall be supplied. The following information called for in the blank *is necessary, and without it no entry of title can be made*:

Application form.

1. The application must state the *nature* of the article for which copyright is desired, *i. e.*, whether it is

Application must state nature of article.

a book, periodical, map, drama, musical composition, engraving, photograph, lithograph, chromo, or a painting, drawing, or statuary. The classes of articles named in the copyright statutes as subject to copyright are printed on page 4 of the application blank, and no article can be registered in the Copyright Office which can not be classed under one or the other designation used in the law to indicate the articles subject to copyright protection. Indefinite designations, such as "publication," "picture," "work of art," etc., should not be used. The term "chart" should only be used to indicate some form of map. The words "engraving," "cut," and "print" are understood to mean only a work of art, and the articles which they designate are subject to copyright only when they are articles sold or exchanged for their artistic value.

Chart.

Engraving, cut,
and print.

State where arti-
cle is printed or
made.

State nationality
of author.

2. When application is made for a book, chromo, lithograph, or photograph it is necessary to state where the article is printed or made, or whether it is printed or made in the United States.

3. It is not necessary to state the name of the author if it is desired to keep the book or other article anonymous, but the *nationality* of the *author* of any literary, musical, or artistic work is required in order to determine the fee to be charged, and also to determine whether the article, in the case of a foreign work, is the production of a citizen of some country to the subjects of which country the privilege of copyright in the United States has been extended.

Author of for-
eign nativity, but
legal resident of
United States.

In the case of an author who is a native of a foreign country but a *legal resident* of the United States, that fact should be stated, or the citizenship should be given as of the United States. If the author is of foreign nativity but has declared his intention to become a citizen, the citizenship should be given as of the United States.

State name of
claimant.

4. An entry of copyright can not be made unless the application for such entry contains a distinct statement *in whose name* the claim of copyright is to be registered. The Copyright Office can not *infer* from the form of application who is the intended claimant. The application must distinctly state the full name and address of the person who claims to be proprietor of the copyright. No entry can be made in a fictitious name, such as a nom-de-plume or pseudonym. The

Nom-de-plume or
pseudonym.

real name of the claimant must be stated. Entry can be made in the name of a firm, of a corporation, or trustee, or in two or more names as joint authors or proprietors.

Real name of claimant must be stated.

5. The blank should be filled up to state whether the copyright is claimed as *author* or as *proprietor* of the work whose title is recorded.

State whether author or proprietor.

One application form will serve for a number of titles, provided the information called for on page 1 of the blank is equally applicable to each title. In case, however, the titles are typewritten on pages 2 and 3 of the blank, a space of $1\frac{1}{2}$ inches should be left between each title, and no more be put upon each page than will allow this space, which is required for receiving the date and number stamp which relates to each title.

One application will serve for several titles.

FILING OF THE TITLE.

The first step to be taken in order to secure copyright protection, according to law, is the transmission to this office of a *printed copy of the title of the book or other article*. (Revised Statutes, section 4956.) The copying of such title page into the record books of the Copyright Office becomes the recording of the claim of copyright. The requirements of the statute are definite, and it is incumbent that they shall be exactly complied with. If, therefore, no title is sent, no entry can be made.

Printed or typewritten title must be filed.

Formal application for copyright should be made by filling up the application blank in accordance with the directions printed on page 4, and mailing it with the required fee, addressed: THE LIBRARIAN OF CONGRESS, COPYRIGHT DEPARTMENT, LIBRARY OF CONGRESS, WASHINGTON, D. C. The application should always be accompanied by a title page. Preferably a *printed* title of the book or other article should be sent; or, in lieu thereof, a third copy of the article. But if this can not be done, the title should be *typewritten* on page 2 or 3 of the blank, and should be worded exactly as it is proposed to print the title of the published book, or other article. *Written titles can not be accepted.* Sending two copies of a book or other article is not a compliance with the requirement of the law that a title and two copies must be sent, but three copies will serve, if such copies bear the printed title.

Formal application should be made.

Music titles.

In the case of music, preferably the *printed title cover* of the music should be sent; or, in lieu thereof, a *third* copy of the piece of music. But if this can not be done, the complete title should be *typewritten* on page 2 or 3 of the blank. If several typewritten titles are to be sent with one application, they can be put upon pages 2 and 3 of the application blank, 1½ inches apart, so as to allow the date and number stamp to come between.

Original works of art.

In the case of a painting, drawing, statue, statuary, or a model or design for a work of the fine arts, in addition to the title, if there is one, a *description* must be sent, and a *photograph* must be filed. This photograph is required for identification, and should be a *photograph taken directly from the work of art*, and not a print, half-tone, photogravure, or any other kind of reproduction.

Title must be filed before publication.

Great care should be taken to send this title for record *before the publication* or distribution of any copies of the article which it is desired to copyright. The law states explicitly (section 4956, Revised Statutes) that "*No person shall be entitled to a copyright unless he shall, on or before the day of publication, in this or any foreign country, deliver at the office of the Librarian of Congress, or deposit in the mail within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, a printed copy of the title of the book, map, chart, dramatic or musical composition, engraving, cut, print, photograph, or chromo, or a description of the painting, drawing, statue, statuary, or a model or design, for a work of the fine arts, for which he desires a copyright.*"

WORKS IN MORE THAN ONE VOLUME.**Each volume requires separate entry.**

In the case of works published in parts or volumes, the title of each part or volume must be recorded as an independent work. Of newspapers, magazines, or other periodical publications, the title for each number, *distinguished by volume, number, and date*, is required to be filed as if it were a distinct work.

Each number of a periodical requires separate entry.**Each variation requires separate entry.**

In the case of engravings, photographs, or other articles published with variations, or music in different arrangements, a title must be recorded for each variety, and must be so worded as to clearly differentiate the different editions or issues. Each pose, in

the case of a photograph, requires separate entry under some distinguishing title or mark.

Each pose of photograph requires separate entry.

WHO CAN APPLY FOR A COPYRIGHT.

1. The *author* of any literary, musical, dramatic, or artistic work, who is a citizen of the United States or a subject of any country to whose citizens the United States has extended the benefits of copyright, is privileged to obtain copyright in the United States.

The author or his assigns can obtain copyright.

2. Any person to whom an author, *who has the privilege of copyright in the United States*, has transferred his copyright can apply for and obtain copyright entry as a "proprietor."

Assigns of author privileged to copyright.

3. A translator, and the editor, compiler, or abridger of a work, may, under the copyright law, be considered as the author of the translation, the compilation, or the abridgment, and can apply for and obtain copyright entry.

Translator, editor, and compiler.

The mere *possession* of a book, either in manuscript or printed form, does not of itself give the possessor the privilege of copyright.

DEPOSIT OF COPIES.

The second step required to be taken to complete a copyright is the deposit of *two* copies of the article for which the title has been recorded. This must be made before the publication or distribution of any copies of the article, the law explicitly providing that "*No person shall be entitled to a copyright unless he shall also, not later than the day of the publication thereof, in this or any foreign country, deliver at the office of the Librarian of Congress, at Washington, District of Columbia, or deposit in the mail, within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, two copies of such copyright book, map, chart, dramatic or musical composition, engraving, chromo, cut, print, or photograph, or in case of a painting, drawing, statue, statuary, model, or design for a work of the fine arts, a photograph of the same.*"

Deposit of copies.

Must be before publication.

Unless this deposit is made a penalty of \$25 is incurred.

Penalty for non-compliance, \$25.

Two copies are required, and they must be complete copies of the best edition. The explicit words of the statute are: "*Two complete printed copies thereof,*

TWO copies required.

Books, photographs, chromos, and lithographs must be made in the United States.

of the best edition issued." (Revised Statutes, section 4959.) In the case of books, the copies must be printed from type set within the limits of the United States. Photographs must be prints from negatives made in the United States, and chromos and lithographs from drawings on stone or transfers therefrom made in the United States.

Book published in periodical.

When a book is published serially in a periodical, two copies of each number of the *magazine* containing it should be deposited, and if afterwards published as a complete work, then two copies of the completed book should be deposited.

One copy of new edition required.

In the case of a *new edition* the law requires the deposit of *one copy*.

Regarding the deposit of plays, see page 13.

Deposits can be mailed free.

These articles for copyright deposit can be sent *free* by mail (without limit of weight), if the printed Penalty Labels, furnished upon request by the Librarian of Congress, are used.

The articles should be addressed: "The Librarian of Congress, Copyright Department, Library of Congress, Washington, D. C."

MANUSCRIPTS, OR OTHER ORIGINAL ARTICLES.

Manuscripts should not be sent.

Manuscripts can not be accepted as deposits to complete copyright, and should not be sent to the Copyright Office. No original drawings, paintings, or statuary, or models for pottery, porcelain, or glassware; or any original articles or devices, such as models for games, puzzles, etc., should be sent to the Copyright Office.

RECEIPT FOR COPIES DEPOSITED.

Receipt for copies deposited.

By special provision of Congress, all articles deposited in the Library of Congress, Copyright Department, to complete entries of copyright, are catalogued, and the titles published in the weekly publication entitled "Catalogue of title entries of books and other articles entered in the office of the Register of Copyrights, Library of Congress, at Washington, D. C., under the copyright law, wherein the copyright has been completed by the deposit of two copies." In this publication are given: The title of the article deposited; the name of the claimant of copyright; the date and entry number of the record of claim of

copyright; and the number and date of the deposit of the copies sent to complete the copyright.

This printed publication, therefore, is equivalent to a published receipt for copies deposited to complete copyright, and is the only form of receipt which the office is authorized by law to give; except that a certified receipt can be given upon payment of the legal fee of 50 cents and one uncanceled 10-cent Internal Revenue Stamp.

Catalogue entry equivalent to receipt for deposit.

If for special reasons, however, receipts for the deposit of copies are required, they can be given, *provided* a blank receipt form is properly filled out by the sender of the article, ready for dating and signing; and *provided* it is sent *with the two copies of the article* required by law to be delivered.

Special receipt given.

These blank receipt forms will be supplied on request, and they should be so fully and carefully filled out that no question of identity can arise; otherwise no receipt can be furnished.

Blank receipt forms.

NOTICE OF COPYRIGHT.

The third step requisite to secure any valid copyright is the printing of the claim of copyright on each copy of the article protected. No copyright can be protected against infringement unless the notice prescribed by law is inserted in every copy produced. The wording of the notice is determined by the copyright statute, and must be one or other of these two forms:

Notice of copyright.

a. **Entered according to Act of Congress, in the year** (Here insert date), **by** (Here insert full name of claimant), **in the Office of the Librarian of Congress, at Washington; or,**

b. **Copyright,** (Here insert date), **by** (Here insert full name of claimant).

In the case of a book, the law prescribes that this notice shall be printed on the title-page, or the page immediately following; and in the case of other articles copyrighted the notice must be inscribed on some visible portion thereof, or of the substance on which the same shall be mounted. The date given in the copyright notice should agree with the year date of the entry of the title upon the records of the Copyright Office, and the name of the copyright claimant,

Notice, where printed.

Date of notice.

Variance in
claim of copyright.

as printed, should agree with the name recorded as proprietor of the copyright. A variance between the claim as recorded and as printed upon the article would cast a doubt upon the validity of the copyright; hence care should be used to see that they agree.

PENALTY FOR FALSE NOTICE OF COPYRIGHT.

False notice of
copyright. Pen-
alty \$100.

The law imposes a penalty of \$100 upon any person who shall insert the notice of copyright, *or words of the same purport*, upon any book or other article which has not been copyrighted, *whether such article be subject to copyright or otherwise*; or who shall knowingly issue or sell any article bearing a notice of United States copyright which has not been copyrighted in the United States; or who shall import any book, photograph, chromo or lithograph, or other article bearing such notice of copyright or words of the same purport, which is not copyrighted in this country.

Importation of
articles bearing
false claims.

COPYRIGHT FEES.

Copyright fees.

The copyright fees prescribed by law are as follows:

Fee for citizen.

For recording each title of a book, or other article, the production of a citizen or resident of the United States, the charge is fifty (50) cents. If a certificate of copyright (*i. e.*, a certificate of the entry of the title) is desired, there is an additional charge of fifty (50) cents, or \$1 in all. When a certificate is ordered, there should also be sent one uncanceled ten-cent internal-revenue stamp, to be canceled and attached thereto in this office.

Fee for foreigner.

For recording each title of a book, or other work, the production of a person *not* a citizen or resident of the United States, the charge is \$1. This fee of \$1 is required to be paid for recording the title of every work whose original *author* or producer is "a person not a citizen or resident of the United States," whether the proprietor of the copyright is or is not a citizen or resident of the United States. A certificate of such record requires the payment of fifty (50) cents additional, or \$1.50 in all. In this case, also, if a certificate is desired, one uncanceled ten-cent internal-revenue stamp should be forwarded with the application.

Copy of record.

For every copy under seal of the record of entry of title, the charge is fifty (50) cents, and one uncanceled ten-cent internal-revenue stamp.

For a certified receipt for the deposit of the two copies required by law, the charge is fifty (50) cents, and one uncanceled ten-cent internal-revenue stamp.

Receipt for deposit.

For recording and certifying any instrument of writing for the assignment of a copyright, of ordinary length, the charge is \$1; and for each copy of an assignment \$1; with, in each case, one uncanceled ten-cent internal-revenue stamp.

Assignment.

Each and every certificate issued by the Copyright Office now requires to have attached to it a ten-cent internal-revenue stamp. This stamp should, in all cases, be sent uncanceled, and should be *pinned*, not stuck, to the application or letter.

Revenue stamps.

It is entirely optional with the copyright applicant to pay the fee for a certificate or not. A certificate of copyright is convenient *prima facie* evidence of copyright entry; but this document can be had in the form of a certified *copy of record* at any time subsequent to the entry of title.

Certificate of copyright.

Do not send any revenue stamps unless certificates are desired; and in no case should any postage stamps or stamped envelopes be sent for reply, as all Copyright-Office mail is forwarded under a Government frank.

All remittances should be by *money-order*, payable to the LIBRARIAN OF CONGRESS. No money should be placed in any package of books, music, or other matter sent to the Copyright Office, and all remitters are respectfully urged to take care to send an identifiable remittance. Postage stamps should not be sent as fees.

Remittances.

TERM OF COPYRIGHT AND RENEWAL.

The first term of copyright is for twenty-eight years from the time of recording the title in the Copyright Office. *The title is recorded on the day of its receipt in the Copyright Office*, in accordance with the provisions of the copyright statutes, and no date prior to the day of receipt can be given to the entry of title; but upon request a title will be held a reasonable time and recorded upon some subsequent day, if desired.

Term of copyright.

Within six months before the expiration of the first term of copyright, the author, if he is still living, or his widow or children, if he is dead, can have the copyright continued for a further term of fourteen years.

Renewal.

Publication of
certificate.

This renewal requires the filing of the title a second time, and the deposit of two copies, exactly the same as in the case of an original copyright. The fees are also the same, but in the case of a renewal a certificate is obligatory, and this certificate must be published, for the space of four weeks, in some one or more newspapers printed in the United States. This publication of the certificate of renewal must take place within two months from its date.

ASSIGNMENT OF COPYRIGHTS.

Assignment of
copyright.

Copyrights are assignable in law by any instrument of writing. This should state the names of the assignee and the assignor, the title of the book or other article assigned; should contain a statement of "valuable consideration," and should be dated. Every assignment must be recorded in the Copyright Office within sixty days after its execution, "in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice." (Revised Statutes, sec. 4955.)

Must be recorded.

Fee for recording
assignment.

The fee for recording and certifying any instrument of writing for the assignment of a copyright, of ordinary length, is \$1, and one uncanceled *ten-cent* internal-revenue stamp. The same fee is prescribed by law for each copy of an assignment.

Fee for copy of
assignment.

PUBLICATION AFTER ENTRY OF TITLE.

Publication after
entry.

The time of publication of any work of which the title has been recorded is not limited by the statute, but the courts have intimated that the publication should take place within a "reasonable time." The United States copyright law makes no special provision for an interim copyright, and the inchoate right secured by the filing of the title-page prior to publication has not been determined; but the entry of the *title*, either of a book, periodical, or other publication subject to copyright, does not secure a monopoly in the use of such title. The title is only protected as an integral part of the article which it designates, hence only the titles of specific publications are subject to copyright registration.

Registration of
title gives no mo-
nopoly of use.

TRANSLATION AND DRAMATIZATION.

The act of March 3, 1891 (51st Congress, 2d session, chapter 565, section 1: Statutes at Large, vol. 26, p. 1107), provides that authors or their assigns shall have *exclusive* right to dramatize and translate any of their works for which copyright shall have been obtained under the laws of the United States.

Translation and dramatization.

Translations authorized by the authors or proprietors of copyrighted works, and translations of non-copyrighted books, are subject to copyright entry in the Copyright Office as original productions, and application for copyright entry should be made as for an original work.

Translations.

Dramatic compositions should be applied for upon printed or typewritten titles, as in the case of other literary compositions. It has been the practice of the Copyright Office to receive and credit, at the responsibility of the claimant, two *typewritten* copies of a drama, but by a recent decision of the courts it is held that such deposit of typewritten copies is not a compliance with the copyright law. Under these circumstances the safer course to pursue is to file *printed* copies.

Dramatic compositions.

Deposit of copies of drama.

PERIODICALS.

The general title of a newspaper or periodical, apart from the contents, cannot be protected under the copyright law. *Each number*, therefore, of a periodical should be entered by its title, distinguished by a statement of the volume, number, and date of the issue. Application can be made for the entry, in advance, of a number of issues, by sending the printed title heading with the variations as to volume, number, and date written in; each issue requiring a separate fee. The entry of title should *precede publication*, and *two* copies of each issue should be sent to the Library of Congress, *Copyright Department*, at the earliest moment after printing. Owing to the difficulty of insuring the receipt of the two copies of a newspaper in the Library of Congress, *on or before the day of publication*, as required by law, it is a desirable precaution to obtain the postmaster's receipt, to serve, in case of need, as evidence of the mailing of the two copies on or before the day of publication.

Periodicals.

Postmaster's receipt for mailing of two copies should be taken.

Care should be taken, in applying, that the name of the copyright claimant is stated in the same form as it is intended to print it in the notice of copyright required to be printed on each paper.

INTERNATIONAL COPYRIGHT.

International copyright.

By the act of March 3, 1891, which went into effect on July 1 of the same year, the United States Congress, by textual amendment of the then existing copyright law, removed the limitation of the privilege of copyright to citizens of the United States, and made it possible for foreign authors to obtain copyright in the United States upon the same terms as native authors, except that the fee for entry in the case of the production of a foreigner is double. Congress, however, distinctly provided that the copyright privileges secured by the act should "only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as [to] its own citizens; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement."

Foreign authors may obtain copyright in U. S.

Under the operation of this provision, the privileges of copyright in the United States have been extended by Presidential proclamations to the authors of Belgium, Chile, Denmark, France, Germany, Great Britain and her possessions (Australia, Canada, India, etc.), Italy, Mexico, Portugal, Spain, and Switzerland.

Application for foreign works should be made as in the case of American works.

The authors, artists, composers, etc., of the countries named, therefore, and their assigns, as copyright proprietors, can obtain copyright protection for their works in the United States upon the same stipulations as those which apply to American authors, and the foregoing directions for obtaining copyright protection should be followed in the case of foreign works exactly as in the case of American works.

SPAIN.

Spain, copyright relations suspended during war.

The war with Spain suspended the privilege of copyright in the United States for the productions of

Spanish subjects. Concerning the renewal of the privilege, the Attorney General expressed the following opinion, under date of December 2, 1898: "When a treaty of peace shall have been finally concluded, their rights will be determined either by the provisions of the treaty or, if the treaty be silent, it will be competent for the United States, through its executive officers, to resume the exercise of such rights and privileges as previously existed and have not been definitively declared terminated. So that if the treaty be silent with reference to copyright, it would, in my opinion, be entirely proper for the Librarian of Congress to admit Spanish subjects, after the conclusion and ratification of the treaty, to the same copyright privileges that they enjoyed prior to the declaration of war."

Renewal of copyright privileges.

HAWAII, PUERTO RICO, CUBA, AND MANILA.

In regard to the privilege of copyright in the United States on behalf of the natives of Hawaii, Puerto Rico, Cuba, and Manila, the opinion of the Attorney General, December 2, 1898, was as follows:

Hawaii, Puerto Rico, Cuba, and Manila.

"It appears that the subjects of Hawaii had not, prior to the passage of the resolution of annexation of July 7, 1898, become vested by proclamation with the privilege of copyright in the United States. I have heretofore held, in an opinion, that certain laws of the United States relative to tonnage dues upon vessels from foreign ports still applied to the ports of Hawaii, and had not been abrogated by the terms or effect of the resolution of annexation. For the reasons given in that opinion, I think that the inhabitants of Hawaii are not at present, in the absence of affirmative legislation by Congress to that effect, entitled to the benefits of our copyright laws.

"Puerto Rico, Cuba, and Manila have not as yet been formally ceded to the United States. So far as they are subject to the control and government of this country they are ruled under the principle of belligerent right. They have not become entitled to the rights and privileges of citizens of the United States. In my opinion, when they shall have been directly ceded by treaty to the United States, and such treaty duly ratified by the Senate, their respective inhabitants will not be entitled to the benefit of the copyright laws

unless the treaty, by its terms, confers such right, or Congress shall afterwards extend such laws to the inhabitants of those countries."

COPYRIGHT IN FOREIGN COUNTRIES.

Foreign copy-
rights.

The benefits of copyright are available for the productions of American citizens in the countries named above (p. 14), but only as they are available to the citizens of such countries. That is to say, citizens of the United States can obtain copyright abroad in the countries named, and in such other countries as by their laws grant copyright privileges to aliens, by taking the steps required by the laws and regulations in force in each country. Application should be made to the copyright bureau, or government officer charged with the administration of copyright business in each case. Owing to the diversity of the requirements, and the necessity of complying exactly with the law and the departmental regulations, the practical way is to secure the services of an agent or publisher abroad.

Application
should be made to
the foreign copy-
right bureau.

United States not
a member of Inter-
national Copyright
Union.

As the United States is not a party to the International Copyright Union, and has not entered into any treaties with foreign countries to secure in such countries protection for existing United States copyrights, copyright protection is not secured abroad by virtue of copyright registration in this country. *Entry of copyright at Washington gives protection to the copyright only within the United States.* Moreover, the copyright department of the Library of Congress has no official functions as regards the securing of copyrights abroad, and can take no action regarding such foreign copyright protection.

ARTICLES NOT SUBJECT TO COPYRIGHT PROTECTION.

Articles not sub-
ject to copyright
protection.

The following articles, frequently applied for, are *not* subject to copyright protection under the copyright law and decisions of the courts:

Account books.	Badges.
Advertisements.	Ballots.
Advertising novelty.	Banners.
Albums.	Betting books.
Articles of manufacture.	Blank agreements.
Articles subject to patents for designs.	Blank books.
	Blank cards.

Blank forms.	Medicines.
Blank price lists.	Memorandum books.
Book covers.	Mere names, words, or phrases.
Book for minutes of a society.	
Borders.	Names (business).
Box covers.	Names (coined).
Business names.	Names of articles.
Buttons.	Names of companies.
	Names of corporations.
Cards (identification).	Names of libraries.
Cards (playing).	Names of medicines.
Cards (postal).	Names of substances.
Cards (score).	Names (professional).
Catchwords.	Names (stage).
Checks.	
Coats of arms.	Ophthalmic test cards.
Coined words or names.	Ornamental articles.
Contracts.	
Corporations.	Pan-American Exhibition designs for stamps, etc.
Coupons, or coupon systems.	Paper hangings.
Crests.	Paper weights.
Cuts for advertisements.	Pass books.
Cuts for articles of manufacture.	Patterns.
	Pedigree blanks.
Dances.	Phrases or words.
Decorative articles.	Postal cards.
Designs for badges or buttons, etc.	Pottery.
Devices.	Prints for articles of manufacture. (See below.)
Dollar advertisements.	Professional names.
Dolls.	Public documents.
Drafts.	Puzzles.
Election tickets.	Record books.
Emblems.	Regalia.
Engravings of manufactured articles.	
	Score books.
Flags.	Scrolls.
	Seals.
Games.	Specialty act.
Government publications.	Stage business.
	Stage curtains.
Ideas.	Stage scenes.
Identification cards.	Stickers.
Insignia.	Systems.
Labels. (See below.)	Test (ophthalmic) cards.
Letter heads.	Tickets of any kind.
	Time books.
Mechanical devices.	Titles, as such.
Medals.	Titles of libraries.
	Titles of newspapers.

DIRECTIONS FOR SECURING COPYRIGHTS.

Titles of series.

Trade-marks.

Utensils.

Words (coined).

Words or phrases.

Wrappers for articles to be sold.

Ideas, methods,
etc., not subject to
copyright.

Ideas, methods, schemes, and systems are not subject to copyright protection.

LABELS AND PRINTS FOR ARTICLES OF MANUFACTURE.

Labels and prints.

Labels are not entered for copyright in the Library of Congress, but under the operation of the act of June 18, 1874, are required to be registered at the Patent Office. This act also defines the words "print," "cut," and "engraving" as used in the copyright law as only applicable to pictorial illustrations or works connected with the fine arts. The principle which determines the differentiation of prints registrable in the Copyright Office and prints requiring to be registered at the Patent Office, is set out in the decision of the Commissioner of Patents in the case of *Ex parte Heinz Company* (Official Gazette of the Patent Office, v. 62, p. 1064), and reads as follows: "It (the purpose of the act) is believed to be to relegate to the Patent Office all registry in the general nature of, or akin to, copyright of things which are mere adjuncts or appurtenances of articles of trade, and to leave to the Librarian of Congress the registry of things whose value in exchange resides in themselves."